

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-14 are currently pending. Claims 1-11 and 14 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, the objection to the Drawings stated in the previous Office Action was maintained; the rejections of Claims 2, 6, and 9 under 35 U.S.C. §112, second paragraph, stated in the previous Office Action were maintained; Claims 5-9 and 13 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter; Claims 3 and 7 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement; Claims 3, 4, 6, and 7-9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out the subject matter of the invention; Claims 1, 5, 12, and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,164,882 to Poltorak in view of U.S. Patent No. 6,505,160 to Levy et al. (hereinafter “Levy”); Claims 2 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Poltorak and Levy in further view of U.S. Patent No. 6,204,419 to Fiedler; Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Poltorak, Levy, and Fiedler in further view of non-patent literature “Distributed Servers Architecture for Network Video Services” to Chan et al. (hereinafter “Chan”); Claims 4 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Poltorak and Levy in further view of U.S. Patent No. 6,912,431 to Kim et al. (hereinafter “Kim”); Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Poltorak and Levy in further view of U.S. Patent No. 7,191,467 to Dujari et al. (hereinafter “Dujari”); and Claims

11 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Poltorak and Levy in view of U.S. Patent No. 6,272,472 to Danneels et al. (hereinafter “Danneels”).

Regarding the objection to the Drawings as including a reference character not mentioned in the description, the description has been amended to include reference character “30,” as it pertains to Applicants’ Figure 1. Accordingly, the objection to the Drawings is believed to have been overcome.

Regarding the rejections of Claims 5-9 and 13 under 35 U.S.C. §101, these claims have been amended to recite machine elements. Accordingly the rejections of Claims 5-9 and 13 under 35 U.S.C. §101 are believed to have been overcome.

Regarding the rejections of Claims 3 and 7 under 35 U.S.C. §112, first paragraph, Claims 3 and 7 have been amended to comply with the written description requirement. Accordingly the rejections of Claims 3 and 7 under 35 U.S.C. §112, first paragraph, are believed to have been overcome.

Regarding the rejections of Claims 2-4, 6, and 7-9 under 35 U.S.C. §112, second paragraph, these claims have been amended to particularly point out the subject matter of the invention. For example, Claims 4 and 8 have been amended to recite “the first contents-related information” instead of “the contents-related information.” Accordingly the rejections of Claims 2-4, 6, and 7-9 under 35 U.S.C. §112, second paragraph, are believed to have been overcome.

Amended Claim 1 is directed to a content receiving apparatus, comprising:

- a receiver configured to receive first contents from a broadcasting station and to receive an input recording request;
- a temporary memory unit configured to temporarily store first contents-related information related to the first contents;
- a memory configured to store and ***to relate, based on having a receipt of the input recording request, the first contents and the first contents-related information;*** and

the memory being configured to store a plurality of second contents and a plurality of second contents-related information received from a server, the second contents-related information being related to the first contents.<sup>1</sup>

Claim 1 has been amended to clarify that the first contents and the first contents-related information are stored and related to each other, based on the input recording request, in the memory.

The Office Action acknowledges that Poltorak does not disclose an input recording request and a method of relating recorded information.<sup>2</sup> Rather, the Office Action relies on Levy for such teachings.

Levy describes that a user may activate a record function to record an object (i.e., a song) which is currently being received by a device which receives a broadcast or stream of media content.<sup>3</sup> Levy further describes that such a recording function is implemented to decode an identifier which *is already attached* to the object and the identifier travels with the object through the object's distribution.<sup>4</sup>

However, the activated recording function in Levy allows the recording of *only* the object.<sup>5</sup> Levy's activated recording function is isolated from the attaching of the identifier to the broadcasted object. Therefore, Levy does not disclose relating of the first contents and the first contents related information based on having a receipt of the input recording request, as now recited in Claim 1.

Thus, no matter how the teachings of Poltorak and Levy are combined the combination does not teach or suggest the relating of the first contents and the first related contents information, as now recited in independent Claim 1. Accordingly, it is respectfully

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<sup>1</sup> Please note that the discussion regarding independent Claim 1 also applies to independent Claims 5 and 11.

<sup>2</sup> See Office Action dated February 13, 2009, page 8 and Office Action dated August 8, 2008, page 9.

<sup>3</sup> See Levy, column 14, lines 51-53.

<sup>4</sup> *Id.* at column 14, lines 44-46, column 2, lines 13-14, and column 2, lines 39-40.

<sup>5</sup> *Id.* at column 14, lines 51-58.

submitted that independent Claim 1 (and all associated dependent claims) patentably define over any combination of Poltorak and Levy.

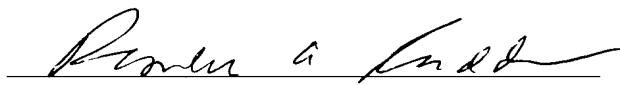
The additional cited references have been considered but are not deemed more relevant than Poltorak and Levy discussed above. Thus, it is respectfully submitted that these additional references do not remedy the deficiencies of Poltorak and Levy.

Accordingly it is respectfully submitted that independent Claims 1, 5, and 11 (and all associated dependent claims) patentably define over the art of record.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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